

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet

F1

of

F1

Application Number

10/677,441

Filing Date

October 2, 2003

First Named Inventor

Stomp et al.

Group Art Unit

1638

Examiner Name

Ashwin D. Mehta

Attorney Docket Number

5051-337DVCT3

**Examin
Initials**

Citizens

U.S. Patent Document

Number

Kind Code
(if known)

Name of Patentee or Applicant of Cited Document

Date of Publication of Cited Document
MM-DD-YYYY

OCT 20 2005

Examiner
Initials*Cite
No.

Foreign Patent Document

Office

Number

Kind Code
(if known)

Name of Patentee or Applicant of Cited Document

Date of Publication
of Cited Document
MM-DD-YYYY

T

**Examine
Initials***

Cite
No

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published

T

LZ

1.

Potrykus; "Gene Transfer to Plants: Assessment of Published Approaches and Results", *Annu. Rev. Plant Physiol. Plant Mol. Biol.*, 1991, 42: 205-225.

Examiner Signature

/Li Zheng/

Date Considered

07/21/2006

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute form 1449A/PTO		Complete if Known			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/677,441		
		Filing Date	October 2, 2003		
		First Named Inventor	Stomp		
		Group Art Unit	1638		
		Examiner Name	Unknown		
Sheet	2	of	3	Attorney Docket Number	5051.337dvct3

OTHER NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T
LZ	37.	Armitage et al. "Vectors for the Transformation of Plant Cells Using <i>Agrobacterium</i> " <i>Plant Genetic Transformation and Gene Expression: A Laboratory Manual</i> Blackwell Scientific Publications pp 1-67 (1988)	
	38.	Aviv and Galun "The Feeder Layer Technique" <i>Cell Culture and Somatic Cell Genetics of Plants</i> , Vol. 1 pp199-203 (1984)	
	39.	Blumenthal et al. "Purification and Characterization of the Voltage-Dependent Anion-Selective Channel Protein from Wheat mitochondrial Membranes" <i>Plant Physiology</i> 101: 579-587 (1993)	
	40.	Chang and Chiu "Regeneration of <i>Lemna gibba</i> G 3 Through Callus Culture" <i>Z. Pflanzenphysiol. Bd</i> 89: 91-94 (1978)	
	41.	Chang and Hsing "Callus Formation and Regeneration fo Frond-Like Structures in <i>Lemna Perpusilla</i> 6746 on a Defined Medium" <i>Plant Science Letters</i> 13: 133-136 (1978)	
	42.	Chiu et al. "Engineered GFP as a Vital Reporter in Plants" <i>Current Biology</i> 6(3): 325-330 (1996)	
	43.	Christensen and Quail "Ubiquitin Promoter-Based Vectors for High-Level Expression of Selectable and/or Screenable Marker Genes in Monocotyledonous Plants" <i>Transgenic Research</i> 5: 213-218 (1996)	
	44.	Culley, Jr. et al. "Production, Chemical Quality and Use of Duckweeds (<i>Lemnaceae</i>) in Aquaculture, Waste Management, and Animal Feeds" <i>J. World Maricul. Soc.</i> 12(2): 27-49 (1981)	
	45.	Deblaere et al. "Efficient Octopine Ti Plasmid-Derived Vectors for <i>Agrobacterium</i> -Mediated Gene Transfer to Plants" <i>Nucleic Acids Research</i> 13(13): 4777-4788 (1985)	
	46.	Eckes et al. "Organ-Specific Expression of Three Leaf/Stem Specific cDNAs from Potato is Regulated by Light and Correlated with Chloroplast Development" <i>Mol. Gen. Genet.</i> 199: 216-224 (1985)	
	47.	Gamborg et al. "Nutrient Requirements of Suspension Cultures of Syobean Root Cells" <i>Experimental Cell Research</i> 50: 151-158 (1968)	
	48.	Hood et al. "Virulence of <i>Agrobacterium tumefaciens</i> Strain A281 on Legumes" <i>Plant Physiology</i> 83: 529-534 (1987)	
	49.	Jefferson "Assaying Chimeric Genes in Plants: The GUS Gene Fusion System" <i>Plant Molecular Biology Reporter</i> 5(4): 387-405 (1987)	
	50.	Koncz et al. "High-Frequency T-DNA-Mediated Gene Tagging in Plants" <i>Proc. Natl. Acad. Sci. USA</i> 86: 8467-8471 (1989)	
	51.	Landolt "Biosystematic Investigations in the Family of Duckweeds (<i>Lemnaceae</i>) (vol.2)" <i>The Family of Lemnaceae - A Monographic Study</i> Veröffentlichungen des Geobotanischen Institutes ETH, Stiftung Rübel, Zürich (1986)	
	52.	Landolt and Kandeler "Biosystematic Investigations in the Family of Duckweeds (<i>Lemnaceae</i>) (vol.4)" <i>The Family of Lemnaceae - A Monographic Study</i> Veröffentlichungen des Geobotanischen Institutes ETH, Stiftung Rübel, Zürich (1987)	
	53.	Larebeke et al. "Large Plasmid in <i>Agrobacterium tumefaciens</i> Essential for Crown Gall-Inducing Ability" <i>Nature</i> 252: 169-170 (1974)	
	54.	Li et al. "Factors Influencing <i>Agrobacterium</i> -mediated Transient Expression of <i>gusA</i> in Rice" <i>Plant Molecular Biology</i> 20: 1037-1048 (1992)	
	55.	Miele "Plants as Bioreactors for Biopharmaceuticals: Regulatory Considerations" <i>TIBTECH</i> 15: 45-50 (1997)	
	56.	Millar et al. "Firefly Luciferase as a reporter of Regulated Gene Expression in Higher Plants" <i>Plant Molecular Biology Reporter</i> 10(4): 324-337 (1992)	
	57.	Murashige and Skoog "A Revised Medium for Rapid Growth and Bio Assays with Tobacco Tissue Cultures" <i>Physiologia Plantarum</i> 15: 473-497 (1962)	
	58.	Ngo "Boosting Pond Performance with Aquaculture" <i>Operation Forum for Wastewater Professionals A WPCF Publication</i> pp 20-23. (1987)	

Substitute form 1449A/PTO		Complete if Known	
Examiner Signature	/Li Zheng/	Date Considered	07/21/2006

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	10/677,441
				Filing Date	October 2, 2003
				First Named Inventor	Stomp
				Group Art Unit	1638
				Examiner Name	Unknown
Sheet	3	of	3	Attorney Docket Number	5051.337dvct3

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	10/677,441
				Filing Date	October 2, 2003
				First Named Inventor	Stomp
				Group Art Unit	1638
				Examiner Name	Unknown
Sheet	3	of	3	Attorney Docket Number	5051.337dvct3


INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	10/677,441
				Filing Date	October 2, 2003
				First Named Inventor	Stomp
				Group Art Unit	1638
				Examiner Name	Unknown
Sheet	3	of	3	Attorney Docket Number	5051.337dvct3

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	10/677,441
				Filing Date	October 2, 2003
				First Named Inventor	Stomp
				Group Art Unit	1638
				Examiner Name	Unknown
Sheet	3	of	3	Attorney Docket Number	5051.337dvct3

[illegible]

Examiner Signature	/Li Zheng/	Date Considered	07/21/2006
--------------------	------------	-----------------	------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Complete if Known

Application Number	10/677,441
Filing Date	October 2, 2003
First Named Inventor	Anne-Marie Stomp
Group Art Unit	1638
Examiner Name	Ashwin D. Mehta
Attorney Docket Number	5051-337DVCT3

Sheet	D1	of	D1
-------	----	----	----

[illegible][illegible]

OTHER NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T
LZ	1	Birch; "Plant Transformation: Problems and Strategies for Practical Application", Annu. Rev. Plant Physiol. Plant Mol. Biol. 1997. 48: 297-326	

/Li Zheng/

07/21/2006

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute form 1449A/PTO

Complete if Known

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet	B1	of	B1	Attorney Docket Number	5051-337DVCT3
-------	----	----	----	------------------------	---------------

Application Number	10/677,441
Filing Date	October 2, 2003
First Named Inventor	Stomp et al.
Group Art Unit	1638
Examiner Name	A.D. Mehta

U.S. PATENTS AND PATENT PUBLICATIONS

Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

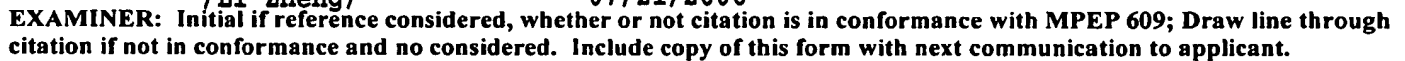
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation
		Office	Number	Kind Code (if known)			
LZ	1.	EPO	Supplemental Partial European Search Report EP 98 98 9350		Applicant: North Carolina State University	11/05/2004	

OTHER NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T

Examiner Signature	/Li Zheng/	Date Considered	07/21/2006
--------------------	------------	-----------------	------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



DS-10/02/2003

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)	Attorney Docket Number 5051-337DVCT2	Serial No. To be assigned
	Applicants: Stomp et al.	
	Filing Date Concurrently herewith	Group

U. S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
LZ	1	4,459,355	07/10/84	Cello et al.	435	172.3	07/12/82
	2	4,536,475	08/20/85	Anderson	435	172.3	10/05/82
	3	4,588,693	05/13/86	Strobel	435	253	02/28/83
	4	4,658,082	04/14/87	Simpson et al.	800	1	07/25/84
	5	4,693,976	09/15/87	Schilperoort et al.	435	172.3	02/23/84
	6	4,762,785	08/09/88	Comai	435	172.3	11/06/85
	7	4,940,838	07/10/90	Schilperoort et al.	800	205	02/23/84
	8	4,954,442	09/04/90	Gelvin et al.	435	172.3	08/31/88
	9	4,956,282	09/11/90	Goodman et al.	435	69.51	07/29/85
	10	5,102,796	04/07/92	Hall et al.	435	172.3	01/20/88
	11	5,149,645	09/22/92	Hoekema et al.	435	172.3	12/5/89
	12	5,164,310	11/17/92	Smith et al.	435	172.3	02/05/91
	13	5,187,073	02/16/93	Goldman et al.	435	172.3	11/13/89
	14	5,272,072	12/21/93	Kaneko et al.	435	172.3	10/30/91
	15	5,464,763	11/07/95	Schilperoort et al.	435	172.3	12/23/93
	16	5,501,967	03/26/96	Offringa et al.	435	172.3	07/06/93
	17	5,504,200	04/02/96	Hall et al.	536	24.1	02/18/94
	18	5,550,038	08/27/96	Goodman et al.	435	70.1	12/08/93
	19	5,550,318	08/27/96	Adams et al.	800	205	08/09/90
	20	5,569,597	10/29/96	Grimsley et al.	435	172.3	07/11/94
	21	5,591,605	01/07/97	Hall et al.	435	70.1	08/24/94
	22	5,591,616	01/07/97	Hiei et al.	435	172.3	05/03/94
	23	5,612,487	03/18/97	Lam et al.	800	205	03/04/93
	24	5,629,175	*05/13/97	Goodman et al.	435	69.1	06/05/95
	25	5,635,381	06/03/97	Hooykaas et al.	435	172.3	01/20/95
V	26	5,639,947	06/17/97	Hiatt et al.	800	205	11/05/92

EXAMINER
EXAMINER

/Li Zheng/

DATE CONSIDERED

07/21/2006

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)					Attorney Docket Number 5051-337DVCT2		Serial No. To be assigned	
					Applicants: Stomp et al.			
					Filing Date Concurrently herewith			Group
LZ								
	27	5,641,664	06/24/97	D'Halluin et al.	435	172.3	06/23/97	
	28	5,650,307	07/22/97	Sijmons et al.	435	172.3	06/06/95	
	29	5,650,307	07/22/97	Sijmons et al.	435	172.3	06/06/95	
	30	5,677,474	10/14/97	Rogers	800	205	06/07/95	
	31	5,679,558	10/21/97	Göbel et al.	435	172.3	03/15/95	
	32	5,693,512	12/02/97	Finer et al.	435	173.5	03/01/96	
	33	5,712,135	01/27/98	D'Halluin et al.	435	172.3	06/07/95	
	34	5,716,802	*02/10/98	Sijmons et al.	435	69.1	03/21/91	
	35	5,723,755	03/03/98	Fortin	800	205	05/16/95	
	36	5,731,179	03/24/98	Komari et al.	435	172.3	08/08/95	
	37	5,792,935	08/11/98	Arntzen et al.	800	205	06/05/96	
	38	5,874,265	02/23/99	Adams et al.	435	172.3	05/23/95	
	39	5,886,244	03/23/99	Tomes et al.	800	293	05/15/98	
	40	5,888,789	03/30/99	Rodriguez	435	172.3	06/02/95	
	41	5,914,123	06/22/99	Arntzen et al.	424	439	06/07/95	
FOREIGN PATENT DOCUMENTS								
	42	Document Number	Date	Country	Class	Subclass	Translation Yes No	
	43	WO 86/03776	07/03/86	WIPO	C12N	15/00	X	
	44	WO 87/07299	12/03/87	WIPO	C12N	15/00	X	
	45	0249432 A2	12/16/87	EPO	C12N	15/00	X	
	46	GB2211204A	06/28/89	UK	C12N	15/00	X	
	47	19629402 A1	02/05/98	DE	A01H	5/00	X	
	48	WO 98/37212	08/27/98	WIPO	C12N	15/82	X	
	49	WO 99/19498	04/22/99	WIPO	C12N	15/82	X	
	50	WO 89/12102	12/14/89	WIPO	C12N	15/00	X	
	51	WO	03/09/95	WIPO	C12N	15/00	X	

 EXAMINER
 EXAMINER

/Li Zheng/

DATE CONSIDERED

07/21/2006

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)				Attorney Docket Number 5051-337DVCT2		Serial No. To be assigned	
				Applicants: Stomp et al.			
				Filing Date Concurrently herewith		Group	
		95/06722					
LZ	52	WO 95/15678	06/15/95	WIPO	A01H	5/00	X
LZ	53	WO 97/17429	05/15/97	WIPO	C12N	5/04	X
LZ	54	DE19629402 A1	05/02/98	Germany	A01H	5/00	X
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
LZ	55	Bates, G.W.; <i>Electroporation of Plant Protoplasts and Tissues</i> , Methods in Cell Biology, Vol. 50, 1995, pp. 363-373.					
	56	Boulton, M.I. et al.; <i>Specificity of Agrobacterium-mediated delivery of maize streak virus DNA to members of the Gramineae</i> , Plant Molecular Biology 12: 31-40 (1989).					
	57	Chang et al.; <i>Pflanzenphysiol.</i> , Vol. 89, pages 91-94, 1978.					
	58	Chang et al.; <i>Regeneration of Lemna gibba G3 through Callus Culture</i> , Z. Pflanzenphysiol. Bd. 89:S. 91-94 (1978).					
	59	Chang et al.; <i>Callus Formation and Regeneration of Frond-Like Structures in Lemna perpusilla 6746 on a Defined Medium</i> , Plant Science Letters 13:133-136 (1978)					
	60	Flavell; <i>Proc. Natl. Acad. Sci., USA</i> , Vol. 91, pages 3490-3496, 1994.					
	61	Frey et al.; <i>Evidence for Uptake of Plasmid DNA into Intact Plants (Lemna perpusilla) Proved by an E. coli Transformation Assay</i> , Z. Naturforsch 35:c 1104-1106 (1980).					
	62	Gray et al.; <i>Proc. Natl. Acad. Sci., USA</i> , Vol. 80, pages 5842-5846, 1993.					
	63	Hansen et al.; <i>Proc. Natl. Acad. Sci., USA</i> , Vol. 91, pages 7603-7607, 1994.					
	64	Hei et al.; <i>Plant J.</i> , Vol. 6, pages 271-282, 1994.					
	65	Hillman, W.S. and Culley, Jr., D.D.; <i>The Uses of Duckweed</i> , American Scientist, Vol. 66, pp. 442-451.					
	66	Hoever, M. et al.; <i>Overexpression of wild-type p53 interferes with normal development in Xenopus laevis embryos</i> , Oncogene (1994), 9, 109-120.					
	67	Jach, G et al.; <i>Enhanced quantitative resistance against fungal disease by combinatorial expression of different barley antifungal proteins in transgenic tobacco</i> , Plant Journal (1995) 8(1), 97-109.					
	68	Jones, J.T. et al.; <i>Isolation and characterization of a putative collagen gene from the potato cyst nematode Globodera pallida</i> , Parasitology, 1996, Vol. 113, pp. 581-588.					
	69	Komari, T. et al.; <i>Vectors carrying two separate T-DNAs for co-transformation of higher plants mediated by Agrobacterium tumefaciens and segregation of transformants free from selection markers</i> , The Plant Journal (1996) 10(1), 165-174.					
↓	70	Lin et al.; <i>Effects of γ-Rays and Caffeine on Young Inflorescence Cultures of Wheat</i> , Chemical Abstracts 116:13 123977v (1992)					

EXAMINER
EXAMINER

/Li Zheng/

DATE CONSIDERED

07/21/2006

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)		Attorney Docket Number 5051-337DVCT2	Serial No. To be assigned
		Applicants: Stomp et al.	
		Filing Date Concurrently herewith	Group
LZ	71	Ma et al.; Science, Vol. 268, pages 716-719, 1995.	
	72	Moon, H.K. and Stomp, A.M.; <i>Effects of Medium Components and Light on Callus Induction, Growth, and Frond Regeneration in Lemna gibba (Duckweed)</i> , In Vitro Cell Dev. Biol-Plant. 33:20-25, January 1997.	
	73	Okubara, P.A. et al.; <i>Analysis of Genes Negatively Regulated by Phytochrome Action in Lemna gibba and Identification of a Promoter Region Required for Phytochrome Responsiveness</i> , Plant Physical (1993) 101: 915-924.	
	74	PCT International Search Report, 30 October 1998, PCT/US98/16683.	
	75	Rolfe et al.; <i>Deletion Analysis of a Phytochrome-regulated Monocot rbcS Promoter in a Transient Assay System</i> ; Proc. Nat'l. Acad. Sci. USA, 88 (April 1991).	
	76	Sabelli et al.; Meth. Plant Biochem., Vol. 10, pages 79-100, 1993.	
	77	Sanford, J.C. et al.; <i>Optimizing the Biolistic Process for Different Biological Applications</i> , Methods in Enzymology, Vol. 217, 1993, pp. 483-509.	
	78	Schäfer, W. et al.; <i>T-DNA integration and expression in a monocot crop plant after induction of Agrobacterium</i> , Nature, Vol. 327, 11 June 1987, pp. 529-532.	
	79	Slovin, J.P. and Cohen, J.D.; <i>Levels of Indole-3-Acetic Acid in Lemna gibba G-3 and in a Large Lemna Mutant Regenerated from Tissue Culture</i> , Plant Physical (1988) 86: 522-526.	
	80	Smith, R.H. and Hood, EE; <i>Agrobacterium tumefaciens Transformation of Monocotyledons</i> , Crop Science 35:301-309 (1995).	
	81	Tobin et al.; <i>Phytochrome Regulation of Transcription: Biochemical and Genetic Approaches, Phytochrome Properties and Biological Action</i> , NATO ASI Series H50:167-179 (1991).	
	82	Vernade et al.; <i>Glycine Betaine Allows Enhanced Induction of the Agrobacterium tumefaciens vir Genes by Acetosyringone at Low pH</i> , Journal of Bacteriology 170:12 5822-5829 (1988)	
	83	Viyayachandra et al.; Plant Mol. Biol., Vol. 29, pages 125-133, 1995.	
	84	Sung Hun Park, et al. "T-DNA integration into genomic DNA of rice following <i>Agrobacterium</i> inoculation of isolated shoot apices." <i>Plant Molecular Biology</i> . 1996, Vol. 32, pp. 1135-1148.	
	85	Pietrzak et al.; "Expression in plants of two bacterial antibiotic resistance genes after protoplast transformation with a new plant expression vector," <i>Nucleic Acids Research</i> 14:14 5857-5869 (1986).	
↓	86	Boynton, et al., "Chloroplast Transformation in <i>Chlamydomonas</i> with High Velocity Microprojectiles," <i>Science</i> 240: 1534-1538 (1998)	

 EXAMINER
 EXAMINER

/Li Zheng/

DATE CONSIDERED

07/21/2006

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.